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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,141	01/20/2004	Takashi Ueda	009683-494	6981

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EXAMINER	
HAMZA, FARUK	

ART UNIT	PAPER NUMBER
2455	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com

Office Action Summary	Application No.	Applicant(s)	
	10/759,141	UEDA, TAKASHI	
	Examiner	Art Unit	
	FARUK HAMZA	2455	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 December 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-18 and 20-25* is/are pending in the application.

4a) Of the above claim(s) *10-16,24 and 25* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-2,4-9,17-18 and 20-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the communication filed on December 14, 209. Claims 3 and 19 have been canceled. Claims 10-16 and 24-25 have been previously withdrawn. The applicant is respectfully requested to cancel the withdrawn claims. Claims 1-2, 4-18 and 20-25 are pending.

Examiner's Note

2. The use of intended use clauses have been noted in the claims (i.e. "adapted to"). Applicant is advised that such terminology may render some limitation optional.

Specification

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The instant specification failed to provide proper antecedent basis for claim limitation "computer readable-medium".

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 17-23 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As to claim 17, they are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are

directed to a computer-readable medium. However, computer-readable medium may include communication medium such as signal, carrier wave. Therefore the claims are directed to non-statutory subject matter. The specification also defines the computer readable media to be computer storage media which is statutory.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-2 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsushima (U.S. Patent Number 7,042,593 B2) hereinafter referred as Matsushima and in view of Wang et al. (U.S. Pub. No. 2002/0174147 A1) hereinafter referred as Wang.

As to claim 1, Matsushima teaches a control apparatus comprising:

a receiver "fig. 3, 36" to receive command data "Http request" described in an extensible markup language, wherein the command data includes a control code for initiating a process (Column 8, lines 4-15, fig. 9, Matsushima discloses receiving Http request in XML by network I/F control section);

an analyzer "fig. 3, 39" to analyze said command data (fig. 7, s13, Column 8, lines 4-7, Matsushima discloses command analyzer) ;

a controller "fig. 3, 38",to execute the process which is preliminarily associated with the control code (Fig. 7, Column 8, lines 25-34, Matsushima discloses detecting print order in XML and executing the printing process); and

a response data generator "fig. 3, 34" to generate response data obtained by describing, in the extensible markup language, an element having said control code defined in a tag and a result of execution of said process as data (Fig. 9, Column 8, lines 29-37).

Matsushima does not explicitly teach the claim limitation of the control code is included in a single tag that functions as both a start tag and an end tag.

However, Wang discloses a communication system that transcode information for prepared for a large visual display into information to be used with a small visual display (abstract). Wang teaches the claim limitation of the control code is included in a single tag that functions as both a start tag and an end tag (P[0149]).

It would have been obvious to the ordinary skill in the art at the time of the invention to modify the system of Matsushima by incorporating the teaching of Wang because it would provide automatic method of code transformation.

As to claim 2, Wang teaches the entire command data is in one line of code (P[0149]).

As to claim 4, Matsushima teaches the control apparatus according to claim 3, further comprising:

a response portion to transmit the response data generated by said response data generator to an apparatus which has transmitted said command data (Fig. 9).

As to claim 5, Matsushima teaches the control apparatus according to claim 1, further comprising:

an image forming device to form an image on a recording medium (Fig. 1, 1, Column 4, lines 56-66).

As to claim 17, Matsushima teaches a computer-readable medium storing a computer program which, when executed by a processor, makes a computer execute the steps of:

receiving command data described in an extensible markup language (Column 8, lines 4-7, fig. 9, Matsushima discloses receiving Http request in XML by network I/F control section);

analyzing said command data (fig. 7, s13, Column 8, lines 4-7, Matsushima discloses analyzing command);

executing a process which is preliminarily associated with the control code (Fig. 7, Column 8, lines 25-34, Matsushima discloses detecting print order in XML and executing the printing process); and

transmitting response data described in the extensible markup language, including an element having said control code defined in the tag and having a result of execution of said process as data to an apparatus which has transmitted said command data (Fig. 9, Column 8, lines 29-37).

Matsushima does not explicitly teach the claim limitation of the control code is included in a single tag that functions as both a start tag and an end tag.

However, Wang discloses a communication system that transcode information for prepared for a large visual display into information to be used with a small visual display (abstract). Wang teaches the claim limitation of the control code is included in a single tag that functions as both a start tag and an end tag (P[0149]).

It would have been obvious to the ordinary skill in the art at the time of the invention to modify the system of Matsushima by incorporating the teaching of Wang because it would provide automatic method of code transformation.

As to claim 18, Matsushima teaches the computer-readable medium storing a computer program according to claim 17, wherein the element in which the control code included in said command data is defined in said tag is constituted only by the tag (fig. 9).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 6-9 and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsushima and in view of Wang and further in view of

Miyoshi et al. (U.S. Patent Number 7,180,616 B2) hereinafter referred as Miyoshi.

As to claim 6, Matsushima and Wang teache the control apparatus according to claim 1.

Matsushima and Wang do not explicitly teach the claim limitation of a Web page transmitter to transmit a Web page including an input screen for inputting a control code.

However, Miyoshi teaches a printing system for printing a web page and printing method using the printing method that initiates printing without requiring long wait after a print command is transmitted. Miyoshi teaches the claim limitation of a Web page transmitter to transmit a Web page including an input screen for inputting a control code (Column 5, lines 54-Column 6, lines 7).

It would have been obvious to the ordinary skill in the art at the time of the invention to modify the combined teaching Matsushima and Wang by adding feature for a web page transmitter to transmit a web page including an input screen for inputting a control code because it would provide a printing system for printing a web page that requires no long wait after a print command is transmitted.

As to claim 7, Matsushima teaches the control apparatus.

Matsushima and Wang do not explicitly teach the claim limitation of Web page includes a display portion to display said input screen.

However, Miyoshi teaches a printing system for printing a web page and printing method using the printing method that initiates printing without requiring long wait after a print command is transmitted. Miyoshi teaches web page includes a display portion to display said input screen (Fig. 3).

It would have been obvious to the ordinary skill in the art at the time of the invention to modify Matsushima by adding feature for a web page transmitter to transmit a web page including an input screen for inputting a control code because it would provide a printing system for printing a web page that requires no long wait after a print command is transmitted.

As to claim 8, Matsushima teaches the control apparatus.

Matsushima and Wang do not explicitly teach the claim limitation Web page includes a command generator to generate said command data in accordance with data inputted via said input screen.

However, Miyoshi teaches a printing system for printing a web page and printing method using the printing method that initiates printing without requiring long wait after a print command is transmitted. Miyoshi teaches Web page includes a command generator to generate said command data in accordance with data inputted via said input screen (Fig. 3, Column 5, lines 34-53).

It would have been obvious to the ordinary skill in the art at the time of the invention to modify combined teaching of Matsushima and Wang by adding feature for a command generator to generate said command data in accordance with data inputted via said input screen because it would provide a printing

system for printing a web page that requires no long wait after a print command is transmitted.

As to claim 9, Matsushima teaches the control apparatus.

Matsushima and Wang do not explicitly teach the claim limitation a command transmitter to transmit said generated command data.

However, Miyoshi teaches a printing system for printing a web page and printing method using the printing method that initiates printing without requiring long wait after a print command is transmitted. Miyoshi teaches a command transmitter to transmit said generated command data (Fig. 3, Column 5, lines 34-53).

It would have been obvious to the ordinary skill in the art at the time of the invention to modify combined teaching of Matsushima and Wang by adding feature for a command transmitter to transmit said generated command data because it would provide a printing system for printing a web page that requires no long wait after a print command is transmitted.

As to claim 20, Matsushima teaches control program product according to claim 17.

Matsushima and Wang do not explicitly teach the claim limitation of a Web page transmitter to transmit a Web page including an input screen for inputting a control code.

However, Miyoshi teaches the claim limitation of a Web page transmitter to transmit a Web page including an input screen for inputting a control code (Column 5, lines 54-Column 6, lines 7).

It would have been obvious to the ordinary skill in the art at the time of the invention to modify the combined teaching of Matsushima and Wang by adding feature for a web page transmitter to transmit a web page including an input screen for inputting a control code because it would provide a printing system for printing a web page that requires no long wait after a print command is transmitted.

As to claim 21, Matsushima teaches the control apparatus.

Matsushima and Wang do not explicitly teach the claim limitation of Web page includes a display portion to display said input screen.

However, Miyoshi teaches a printing system for printing a web page and printing method using the printing method that initiates printing without requiring long wait after a print command is transmitted. Miyoshi teaches web page includes a display portion to display said input screen (Fig. 3).

It would have been obvious to the ordinary skill in the art at the time of the invention to modify the combined teaching of Matsushima and Wang by adding feature for a web page transmitter to transmit a web page including an input screen for inputting a control code it would provide a printing system for printing a web page that requires no long wait after a print command is transmitted.

As to claim 22, Matsushima teaches the control apparatus.

Matsushima does not explicitly teach the claim limitation Web page includes a command generator to generate said command data in accordance with data inputted via said input screen.

However, Miyoshi teaches a printing system for printing a web page and printing method using the printing method that initiates printing without requiring long wait after a print command is transmitted. Miyoshi teaches Web page includes a command generator to generate said command data in accordance with data inputted via said input screen (Fig. 3, Column 5, lines 34-53).

It would have been obvious to the ordinary skill in the art at the time of the invention to modify combined teaching of Matsushima and Wang by adding feature for a command generator to generate said command data in accordance with data inputted via said input screen because it would provide a printing system for printing a web page that requires no long wait after a print command is transmitted.

As to claim 23, Matsushima teaches the control apparatus.

Matsushima and Wang do not explicitly teach the claim limitation a command transmitter to transmit said generated command data.

However, Miyoshi teaches a printing system for printing a web page and printing method using the printing method that initiates printing without requiring long wait after a print command is transmitted. Miyoshi teaches a command transmitter to transmit said generated command data (Fig. 3, Column 5, lines 34-53).

It would have been obvious to the ordinary skill in the art at the time of the invention to modify combined teaching of Matsushima and Wang by adding feature for a command transmitter to transmit said generated command data, because it would provide a printing system for printing a web page that requires no long wait after a print command is transmitted.

Response to Arguments

7. Applicant's arguments have been fully considered but they are not persuasive.

In the remarks the applicant argues in substance that; A) The combination of Matsushima and Wang failed to teach extensible markup language describing an element having a control code defined in a tag and result of execution of a process as data.

In response to A) The examiner respectfully disagree. Matsushima teaches XML data describe a control code or command for printing an image. The print command is embedded in the XML tag. Upon executing the XML command the listed file in the body will be printed (see fig. 9, Column 8, lines 25-37). Therefore, Matsushima's teaching of printing a file or document by executing print command in XML tag meets the claim limitation.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is

571-272-7969. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll –free).

Faruk Hamza

Patent Examiner

Group Art Unite 2455

/Faruk Hamza/
Examiner, Art Unit 2455